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RUEHGV/USMISSION GENEVA PRIORITY 1070  
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E.O. 12958: DECL: 02/06/2016  
TAGS: [PGOV](#) [PHUM](#) [PREL](#) [NP](#)  
SUBJECT: PACOM ADMIRAL FALLON DISCUSSES NEPAL WITH HUMAN  
RIGHTS LEADERS

Classified By: Ambassador James F. Moriarty. Reasons 1.4 (b/d).

Summary

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11. (C) During a meeting with PACOM Commander Admiral Fallon on February 2, human rights activists highlighted the distance between the King and the Parties and called for a consensus on a way forward, while noting the dangers of a Maoist takeover. They agreed that the King should reach out to the Parties, but noted the pervasive negative thinking of other key actors. The Admiral asserted that in his 24 hours in Nepal he had come to realize the extreme polarization among all actors. He called on the representatives of civil society to help bring people together by focusing on finding issues on which legitimate forces could reach consensus and working to build that consensus issue by issue. Responding to a call to assist the Royal Nepalese Army in its fight against the Maoists, the PACOM Commander explained that he was prepared to do so as soon as the King and Parties took concrete steps to enter into a dialogue on the restoration of representative government. The Admiral noted that he had been impressed with the caliber of the RNA leaders, and was pleased to hear that human rights organizations reported good access to detainees, as well as a willingness on the part of the RNA to have its soldiers receive training in human rights from NGOs. End Summary.

Polarization of Actors

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12. (C) On February 2, PACOM Commander Admiral Fallon met with human rights activists and business leaders to discuss the situation in Nepal. Sapana Malla, a lawyer with local NGO Development Law Associates, commented that to get at the root causes of the conflict the King had to reach out to the Parties, and the Parties had to be ready to react. She opined that consensus on a way forward had to be achieved among Nepalis and could not come from the outside. Rajendra Kumar Khetan, Confederation of Nepalese Industries, agreed that the King needed to reach out but worried that the King would only change plans if encouraged to do so directly by

the U.S. President, or the Prime Minister of the U.K. or India. Sudip Pathak, National Human Rights Commission (NHRC), highlighted the negative thinking and incrimination between actors.

13. (C) The Admiral agreed that the goal of the Maoist insurgency was totalitarian control of society, and indiscriminate terror was a weapon they would continue to use. In order to fight this threat, legitimate democratic forces needed to work together. He explained that in his 24 hours in Nepal he had come to realize the extreme polarization of all actors. All the actors had reasonable points and complaints, but tended to ignore details that did not strengthen their cause. He called on civil society to help bring people together by working to build consensus slowly, issue by issue, one step at a time. Alternatively, he suggested, if it was too difficult to talk together, then Nepal should seek outside help. Though cautioning that crises were inherently dangerous, the Ambassador noted that a crisis could also provide the impetus for people to act. Malla asked if there was hope for Nepal. The Admiral quickly replied "yes," and reiterated the need for all actors to be positive and to take one step at a time toward a common goal.

#### Maoists Dangerous

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14. (C) Khetan worried that the Maoists would take Nepal "back to the stone age" if they took power. Noting that Maoists had bombed his factory three times, Khetan stressed that people in Nepal wanted peace and security. He stated that there was no social inclusiveness during the years of political party rule, and explained that "ignored people" joined the Maoists for food, clothes and cash, which the

Maoists provided by extorting others. He added that the corruption level of the government was high. Malla agreed, explaining that even the judiciary was full of corruption. Khetan called for an all-party government to bring the Maoists into the mainstream. The Ambassador cautioned that the King appeared to be following such a plan, but that without a genuine attempt at inclusiveness it had little chance of success. The Admiral described the security situation in Nepal as troubling and characterized the Maoists as "vultures circling overhead."

#### RNA's Important Role

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15. (C) Pathak, noted the important role that the security forces played to stabilize Nepal and asked the Admiral to try to support the RNA. The Admiral noted that, while he could see the benefit of assisting the RNA, U.S. policy prevented him from doing so unless the King took visible steps to reach out to the Parties. Ian Martin, Representative of the United Nations Office of the High Commissioner for Human Rights (OHCHR), cautioned the danger of politicizing the RNA, explaining that an RNA soldier in a district was in danger of becoming the local power broker in the absence of other civilian authorities. While admitting that it was impossible to guarantee how the RNA would act, the Admiral asserted that he had been impressed with the caliber of the RNA leaders he had met, noting that many had trained overseas, and appeared to have an understanding of the role of the military and a respect for human rights. He noted that the RNA appeared loyal to the King, but also appeared to feel that they played an important role in the stability of the country.

#### Generally Good Access to RNA Detention Facilities

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16. (C) Martin told the Admiral that OHCHR was focused on monitoring human rights associated with both the armed conflict and with political instability and inequities. He noted that the government currently was holding about 500 political party and civil society activists. He explained that the police had generally acted reasonably in arresting

and holding these people, but prison overcrowding was an issue. He stated that the government generally gave OHCHR and the NHRC good access to detainees. He noted that the government allowed family visits twice a week, but sometimes restricted lawyer's visits. Malla agreed that sometimes lawyers had difficulty with access, especially since mid-January when the government cracked down and arrested large numbers of activists. Martin reported that the Royal Nepalese Army did not hold political prisoners, but did hold suspected Maoists under the TADO terrorism ordinance, even though the stated RNA policy was to turn all detainees over to civil authorities. He noted that, while a number of those who disappeared in 2002-2004 had "undoubtedly been killed," the number of people in army detention had gone down considerably in 2005 due to local and international pressure.

He commented that the RNA had created a register of people in detention; at last count the RNA reported having 55 suspected Maoists in detention to OHCHR. Martin cautioned

that at least 12 of those people had been detained by the RNA for more than the six months allowed by the TADO. However, he commented that some of those being held might not want to be released due to fear of Maoist reprisals.

Comment

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17. (C) The Admiral's message that Nepal's civil society held the key to Nepal's political future, and his encouragement of their efforts, seemed to resonate with the human rights leaders. The fact that these leaders also supported continued U.S. assistance to the RNA also suggests that a broad section of Nepali society recognizes the critical importance of the RNA to any comprehensive counter-insurgency strategy.

18. (U) Admiral Fallon cleared this cable.  
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